

EXHIBIT 29

DECLARATION OF BETHANY D JENKINS

I, Bethany Jenkins, PhD, declare as follows:

1. I am the Vice President for Research and Economic Development (VPRED) and a Professor of Cell and Molecular Biology and Oceanography at the University of Rhode Island (also known as URI) in Kinston RI. I have held the VPRED position since April 2023 and a faculty position at URI since May 2005. In my role as VPRED, I am URI's senior research officer and oversee URI's research ecosystem including our offices of sponsored projects, research integrity and research security. For the past 20 years as a faculty member at URI, I have had extensive experience leading projects and managing funding from the National Science Foundation (NSF). I have obtained \$3.5M in NSF funding for my own research program (OCE awards 0526800, 0926875, 0962208, 1558490, 1756816; OPP award 1443474) and from 2017-2024, I was a co-investigator on the URI-led \$20 M NSF EPSCoR award (RII Track-1: Rhode Island Consortium for Coastal Ecology Assessment, Innovation, and Modeling-OIA 1655221). I am senior personnel on the current (2024-2028) \$8M URI-led NSF EPSCoR RI E-CORE II award (OIA 243276).

2. I have personal knowledge of the contents of this declaration, or have knowledge of the matters based on my review of information and records gathered by URI personnel, and could testify thereto.

3. The University of Rhode Island receives substantial annual funding from the National Science Foundation ("NSF"). Currently URI has \$88.07M in active NSF grants that include \$20.02M in F&A (indirect costs) obtained at our federally negotiated rate. In the last year (2024), we have received \$27.95M in awards with \$6.57M in F&A (indirect) costs at our federally negotiated rate from NSF.

4. The University of Rhode Island intends to apply for new funding awards, and/or renewals and continuations of existing funding awards, in the next year and in future years to come.

5. The funding the University of Rhode Island receives from NSF supports critical and cutting-edge research vital to our nation's security and for keeping ecosystems and humans healthy. Research infrastructure at URI also supports NSF's national oceanographic mission and critical areas such as American seafood competitiveness. In addition, NSF funding to URI also supports workforce training that can contribute to these areas and benefit American businesses that depend on skilled workforce and cybersecurity. Millions of Americans benefit from and depend on this research. For example:

- a. The University of Rhode Island submitted a \$7M proposal to NSF on July 12, 2024 as the lead organization for a multi-institutional project to the NSF Established Program to Stimulate Competitive Research (EPSCoR) program entitled E-RISE RII: Socio-ecological Impact of Microplastics in Coastal Ecosystems (SIMCoast). The SIMCoast project will help keep America healthy as it will build RI's research capacity through physical, human, and cyber infrastructure to monitor and characterize marine microplastics, determine their fate and transport in aquatic ecosystems, and identify use-inspired needs for the strategic plan. SIMCoast will build research capacity in RI on tiny plastics in the ocean prone to bioaccumulate across marine food webs – and their environmental fragmentation and biochemical transformations that collectively determine their fate, transport, and socio-ecological impacts. The purpose of the NSF EPSCoR program is to enhance the research competitiveness of targeted

jurisdictions (i.e. state, territory or commonwealth) by strengthening science, technology, engineering and mathematics (STEM) capacity and capability through a diverse portfolio of investments from talent development to local infrastructure. The purpose of the EPSCoR program is to build capacity in jurisdictions receiving the lowest amounts of NSF funding in the US (0.75% of total NSF budget). RI is an eligible EPSCoR jurisdiction. When the SIMCoast award was submitted on July 12, 2024 it was done so using URI's negotiated F&A (indirect) rate of 57.5%, with a total of \$1.6M in F&A on cost eligible categories to be awarded to URI. On February 7, 2025, URI was informed by NSF that the project would be funded. As of May 5, URI has not yet received this funding, and if it were to be awarded, based on the new NSF rate policy, we would receive F&A (indirect costs) at a rate of 15%, resulting in a loss of \$ 1.19M to URI that would support this project. This reduction in F&A to URI effectively decreases our research competitiveness, against the purpose of the NSF EPSCoR program as it erodes support for critical infrastructure documented in the paragraphs to follow.

- b. URI has \$1M in NSF for Pivots: Creating a pathway to a career in quantum information science and technology (ITE 2321413) to train science, technology, engineering and math (STEM) professionals to be a quantum information science and technology (QIST) workforce that is a collaboration with MITRE corporation, a non-profit corporate entity supporting the US government in this domain. Real-world QIST challenges will be integrated into the educational projects, which will be jointly developed by the researchers and MITRE. These

skills in a workforce will be needed for artificial intelligence (AI), machine learning, cybersecurity, drug discovery, materials science and in the finance industry by financial institutions.

- c. URI has early career investigators with NSF funding to prevent cyberattacks on industrial control systems like power grids. For example, with the CAREER: PARP: mislead physical-disruption attacks by preemptive anti-reconnaissance for power grids cyber-physical infrastructure (CNS 2144513), URI is designing and quantifying preemptive anti-reconnaissance techniques that will mislead adversaries about power grids' cyber-physical infrastructures. This project will mislead attacks before malicious activities are launched, removing potential threats in advance and thus preventing damage. Second, preventing reconnaissance on a critical set of physical data can protect against a wide spectrum of attacks, including unknown ones that enable America to respond to potentially crippling cyber-attacks by foreign adversaries on critical infrastructure.
- d. URI is leading a project to use cyber-physical systems to improve stroke rehabilitation for young adults. The RE-GAIN; an adaptive, medical CPS platform integrating e-textile wearables, virtual reality and AI for stroke rehabilitation (CNS 241838) will use smart textile gloves embedded with multimodal sensors for monitoring and biofeedback, to enhancing the rehabilitation experience through interactive visual and haptic cues. This project will lead to improved health outcomes for young Americans who survive stroke.

e. URI is the home institution of the NSF-owned University-National Oceanographic Laboratory System (UNOLS) research vessel R/V Endeavor. URI manages the Endeavor ship operations and scheduling on behalf of UNOLS and NSF funded researchers whose projects utilize the ship and her sampling capabilities. In 2024 alone, the R/V Endeavor was used for 12 projects supporting research across 11 distinct lead institutions. URI staffs the R/V Endeavor and makes sure the ship and her equipment are safe and operational to support NSF-funded scientific missions. For example, the R/V Endeavor supports multiple expeditions a year for the \$6.37M NSF-funded Northeast US Shelf Long-Term Ecological Research (LTER) program. This program is led by the Woods Hole Oceanographic Institution with investigators from URI along with the University of Massachusetts Dartmouth, Wellesley College, and the NOAA Northeast Fisheries Science Center. This program supports the fisheries in the North Atlantic by providing essential scientific data for forecasting future fisheries production. URI's operation of the R/V Endeavor is essential to NSF's oceanographic field operations writ large and projects using her as a platform are critical for maintaining American seafood competitiveness among many other areas.

6. Reimbursement of the University of Rhode Island's indirect costs is essential for supporting this research. NSF's cutting of indirect cost rates to 15% would preclude carrying out the kinds of research projects described in Paragraph 5 in the future.

7. Indirect costs include staffing for research security, research compliance, safety for labs human subjects and animals, maintenance of laboratories and research equipment including

maintenance of high-performance computational infrastructure, staffing to support research vessels including critical and timely procurement. Without this critical infrastructure, we simply cannot conduct the research.

8. For example, with respect to the areas of research described in Paragraph 5:
 - a. The NSF EPSCoR SIMCoast project will act as an incubator to build research and workforce to establish RI as a global leader in identifying and addressing the societal and ecological challenges concerning the impacts of microplastics within marine environments. The SIMCoast project will offer workforce development programs and an incubator-style seed grant program state-eid. The administration of these programs relies on staff supported by F&A (indirect costs) to the Division of Research and the College of Engineering at URI. A reduction of over \$1M in indirect costs to URI would mean that we would not have the necessary staff support to offer these programs. In addition, the SIMCoast project utilizes electron microscopes and other analytical instruments within the Rhode Island Consortium for Nanoscience and Nanotechnology (RIN2) core facility located at URI. Indirect costs are essential to fund supplies, electricity, and personnel to run and maintain the facility.
 - b. All projects described in Paragraph 5a, b, and c include computational, quantum and cybersecurity research and thus require access to and support for high performance computing. URI uses a portion of its F&A (indirect costs) to support its Center for Computational Research (CCR) that fosters interdisciplinary and multidisciplinary computational research including AI, data science and quantum computing for over 150 faculty. In 2024 alone \$2.3M

in new federal funding was mapped to this infrastructure with \$780,000 from NSF awards at URI's federally negotiated F&A rate of 57.5% applied to modified direct costs. Furthermore, URI's CCR has been part of NSF's Open Storage Network for 3 years. This network is a collaboration between 17 research institutions that is designed to store vast amounts of research data and allow for sharing over a high-speed network. If NSF rates were cut to 15%, URI simply would not be able to support this critical infrastructure as we do not have a source of funds that could be used to replace those from F&A (indirect costs) that support computational hardware and staffing. Researchers would no longer have access to high-speed computing critical for the success of their NSF-funded research and URI could no longer participate in the NSF Open Storage Network.

- c. As described in Paragraph 5c, URI has research that involves patient rehabilitation from strokes. Human subjects research requires a staffed Institution Review Board (IRB). URI uses monies from F&A (indirect) costs to fully cover salaries for its Office of Research Integrity staff and salary support for the faculty member serving as the chair of its IRB. A rate cap of 15% F&A would mean that we would not be able to pay our Director of Research Integrity, nor our IRB specialist, nor our IRB chair.
- d. As explained in Paragraph 5 d., URI manages the research vessel R/V Endeavor on behalf of NSF. Without F&A (indirect) costs associated for the management of the R/V Endeavor we would not be able to provide salaries to the staff that are responsible for procurement on behalf of the ship, needs that are often very

time sensitive and would not be met if we had to shift that burden to reduced staff.

9. Physical facilities costs are one of the largest components of indirect costs. This includes not only the usual costs of constructing and maintaining buildings where research occurs, but the very high costs of outfitting and maintaining specialized laboratory space, which can require special security, advanced HVAC systems, and specialized plumbing, electrical systems and waste management, as well as specialized laboratory and computational equipment. In addition, at URI the maintenance of space requires safe access to the pier for R/V Endeavor operations and functional forklifts and cranes for loading the vessel. The features and amount of space available to researchers have a direct and obvious impact on the nature and amount of research that can be done at the University of Rhode Island. In addition, indirect costs fund the administration of awards, including staff who ensure compliance with a vast number of regulatory mandates from agencies such as NSF. These mandates serve many important functions, including ensuring research integrity; protecting research subjects; properly managing and disposing of chemical and biological agents and other materials used in research; managing specialized procurement and security requirements for sensitive research; managing funds; preventing technologies and other sensitive national security information from being inappropriately accessed by foreign adversaries; providing the high level of cybersecurity, data storage, and computing environments mandated for regulated data; ensuring compliance with specialized security protocols and safety standards; maintaining facility accreditation and equipment calibration to meet research quality and security standards; and preventing financial conflicts of interest.

10. Recovery of URI's indirect costs is based on predetermined rates that have been contractually negotiated with the federal government.

11. Through fiscal year 2025, URI's predetermined indirect cost rates are 57.5% for on-campus organized research activities; 55% for instruction; 50% for activities associated with the State's Agricultural Experiment Station housed at URI; 46% for on-campus other sponsored program activities; and 26% for off-campus activities.

12. The effects of a reduction in the indirect cost rate to 15% would be devastating. Of the \$88.07M in active NSF funding at URI, \$68.04M of those funds consist of payment of direct costs of which \$48.04 M were subject to F&A (indirect cost recovery). \$20.02 million consists of reimbursement of indirect costs. In 2024 (Jan 2024-December 2024), URI received \$21.37M in new NSF funding that supports \$6.57M F&A (indirect) costs. Based on trends of the last three fiscal years, over the next five years, the University of Rhode Island would anticipate expending an average of \$13.4M from the NSF for annual direct costs and applying that rate to the direct costs (as modified pursuant to the CFR) \$4.1M in F&A (indirect) costs, based on the predetermined indirect cost rate of 57.5%, which was agreed upon by the federal government as of July 22, 2019.

13. If—contrary to what the University of Rhode Island has negotiated with the federal government—the indirect cost rate was reduced to 15% for all new NSF awards, that would significantly reduce URI's anticipated annual indirect cost recovery. For example, applying the 15% rate to the anticipated modified direct costs over the next five years, URI's anticipated annual indirect cost recovery from NSF would be reduced by \$2.8M a year, to \$1.28M a year.

14. This reduction would have deeply damaging effects on URI's ability to conduct research from day one. Many of URI's current research projects will be forced to slow down or cease abruptly if forced to apply the 15% indirect cost cap was applied to new awards or subsequent years' funding. This will also necessarily and immediately result in staffing reductions across the board. For example:

a. The University of Rhode Island's Division of Research's staff salaries are supported by F&A (indirect) funds. Simply put, the University does not have any other sources of funds it can use for most of these salaries. If NSF F&A rates were capped at 15% we would have to start laying off staff within a matter of weeks. This would significantly hamper our ability to continue with critical research projects, and in turn jeopardize our ability to contribute to the nation's security. Moreover, recruiting staff who have the requisite knowledge, experience, and security clearances to work on such projects is exceedingly difficult. Even if funding were later restored, it would be difficult to find qualified individuals to fill these positions. Ultimately, top scientists will not move to (or stay at) the University if we cannot provide the facilities necessary to conduct world-class research.

15. If NSF F&A rates were capped at 15% URI would be in the very difficult position of having to decide on a grant-by-grant basis which research it could "afford" to support at the reduced F&A and these would likely be projects only requiring office space. We would not be able to support projects requiring high speed computing, laboratory infrastructure including safety, human or animal subjects. Thus, we would be in the very difficult position of discouraging our investigators from seeking NSF funding.

16. The University of Rhode Island has for decades relied on the payment of F&A costs at our federally negotiated rate which was well above 15% at 44% twenty years ago. The Administrative portion of F&A has been at 26% since 1991. And until now, we have been able to rely on the well-established process for negotiating indirect cost rates with the government to inform our budgeting and planning. Operating budgets rely on an estimate of both direct and

indirect sponsored funding to plan for annual staffing needs (*e.g.*, post-docs, PhD students, and other research staff), infrastructure support (*e.g.*, IT networks, regulatory compliance, and grant management support), and facility and equipment purchases. And in some cases, the University of Rhode Island has long-term obligations—for example, employees funded on F&A that have statutory employment status in RI and it relies on budgeted grant funding, including associated indirect cost recovery, to fulfill these commitments. This multi-year budgeting process also assumes the availability or possibility of grant renewals at roughly similar terms – and certainly at the negotiated indirect cost rate – as had been previously available.

17. In addition to the immediate effects and reliance interests described above, dramatically cutting indirect cost reimbursement would have longer-term effects that are both cumulative and cascading. URI could be in a position where it would not be able to guarantee compliance with federal requirements including for research security and integrity, safety in the laboratory for researchers and animals due to its inability to pay staff who fulfill these roles.

18. Disruptions to URI’s research will also have negative effects across Rhode Island and the broader region. URI is the lead institution on the NSF EPSCoR project as described in section 1. Through this E-CORE project URI collaborates with state and local partners to help solve regional challenges through joint research and innovation and needs its F&A funded staff to make sure this project is compliant. URI’s research also fuels spending in the regional economy, including by driving discoveries that launch new ventures, attract private investment, and make a positive social impact. A massive reduction in URI’s research budget would immediately and seriously jeopardize these contributions to the local region.

19. Finally, slowdowns or halts in research by URI and other American universities will allow competitor nations that are maintaining their investments in research to surpass the

United States on this front, threatening both our Nation's national security and its economic dominance particularly in areas of AI and cybersecurity, NSF-funded areas to URI.

20. The University of Rhode Island cannot cover the funding gap itself from capped F&A. While URI maintains an endowment, valued at \$237M at the end of FY24, it is neither feasible nor sustainable for URI to use endowment funds or other revenue sources to offset shortfalls in indirect cost recovery:

- a. The majority of URI's endowment is restricted to specific donor-designated purposes, such as scholarships, and academic programs. URI is not legally permitted to use those funds to cover research infrastructure costs.
- b. Even the portion of the endowment that is unrestricted is subject to a carefully managed annual payout, typically around 5 %, to ensure long-term financial stability for the institution.

22. It is also not feasible or sustainable for the University of Rhode Island to use other revenue sources to offset shortfalls in indirect cost recovery. As a non-profit institution, URI reinvests nearly all of its revenue into mission-critical activities, mainly undergraduate teaching, leaving little margin to absorb funding gaps. In other words, unlike for-profit organizations, URI does not generate significant surpluses that could be redirected without impacting core academic priorities such as educational programs and financial aid support for students. Absorbing the cost of a lower indirect cost rate, even if it were possible, would create long-term budget pressures on URI which would in turn force reductions in key investments supporting URI's faculty, students, staff, research, and teaching infrastructure, as well as other critical activities needed to maintain URI's academic excellence. So even if URI could "cover" some of the indirect costs previously funded by NSF, it could do so only by negatively affecting other critical goals central to the

institution's mission. In particular, URI would have to rely on student tuition increases to cover any gaps, something we are unwilling to do given the rising cost of education.

23. If URI can no longer apply for NSF grants because it is unable to accept the new indirect cost rate cap – a risk that would impact 100% of our NSF grants – the harms described herein would be exacerbated. That greater loss in funding from NSF would mean more significant cost-cutting measures would need to be adopted—and quickly. URI cannot “float” all of the F&A costs it would likely lose coverage for – nor could it float NSF grants altogether if it is not able to accept the 15% cap – so some research projects would need to be terminated altogether, and others would need to be scaled down or pared back significantly. The process of identifying these cuts would need to begin immediately, and layoffs, closures, and research pauses or contractions would follow soon thereafter. Cutting back on URI’s research in fields such as AI, cybersecurity, and oceanography will also have long-term implications on national security and the American economy.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 5, at Kingston, RI.



Bethany D. Jenkins